



Fortieth Annual Report

MARYLAND STATE BOARD
of
MOTION PICTURE CENSORS



Offices
212 N. Eutaw Street
Baltimore 1, Maryland

Fortieth Annual Report
MARYLAND STATE BOARD
OF
MOTION PICTURE CENSORS
1955—1956

C. MORTON GOLDSTEIN
Chairman

MAUDE B. DORRANCE
Vice-Chairman and Treasurer

WALTER S. RINGLER
Secretary

ELMER P. BUTZ
Administrative Assistant

Offices
212 N. Eutaw Street
Baltimore 1, Maryland



THEODORE R. MCKELDIN
Governor of Maryland

HONORABLE THEODORE R. MCKELDIN
GOVERNOR OF MARYLAND
STATE HOUSE
ANNAPOLIS, MARYLAND

DEAR GOVERNOR MCKELDIN:

The Maryland State Board of Motion Picture Censors takes pleasure in submitting to you herewith, the fortieth Annual Report of its operations, for the fiscal period ending June 30, 1956. We detail herein, the number of films examined, the Board's action taken thereon, other pertinent data, as well as an itemization of receipts and disbursements.

WORK OF THE BOARD

The Board reviewed during the fiscal year, 1,368 original subjects, consisting of 7,212 reels comprising 5,772,366 feet of film. In addition thereto, 8,166 duplicate subjects were processed.

Of the original films presented to and processed by the Board, a total of 1,340 were approved without modification, 28 were modified in part, and no film was rejected in its entirety.

FINANCIAL STATEMENT

The year's total receipts were \$73,055.00 as compared with \$73,884.00 the previous year. This revenue was derived from fees required by law for the Board's examination of films. Notwithstanding a capital expenditure of \$2,240.32 and increases in other expenses, after defraying all expenses, the sum of \$9,077.62 reverted to the State Treasury, from the income collected. The all-time sum reverting to the Treasury, consisting of income over expenditures now amounts to \$558,618.36, in addition to \$19,487.38 from June 1, 1916 to September 30, 1920.

INSPECTIONS

The Board employs three inspectors, in addition to a supervisor. A total of 4,573 inspections was made during the year. These inspections were of theatres throughout the State, periodically made, to check compliance with the State motion picture censorship law, and orders issued by the Board.

PROSECUTIONS

Only one instance of wilful violation of the law regulating motion pictures was discovered, and in that case a warning was issued by the magistrate to the offending party.

FOREIGN FILMS AND COMMITTEES

In the matter of foreign films presented, the Board has availed itself of the voluntary services of several of our citizens, who are expert in foreign languages, to aid us in determining the propriety of the dialogue used. We are appreciative of their unselfish service rendered us on numerous occasions.

STATE CENSORSHIP

As previously reported, this Board is performing its duties by virtue of a revised law dealing with Motion Picture Censorship, passed by the General Assembly of Maryland at its 1955 Session, effective June 1st, 1955. During the past year, we have applied this law with due regard to Court decisions, that the proper approach to this delicate problem is to hew strictly to the statute setting forth fixed guides and standards. The limited permissible scope of control through censorship does not reach films which some may find objectionable as measured by other standards. We are mindful of the fact that under the law, motion pictures cannot be prejudged for the ignorant, the immature, or the sensually inclined, and the path we follow is circumscribed in keeping with the rules governing prior restraint.

During the past year, in two of the many motion pictures submitted to the Board, deletions were ordered which were not accepted by the producers and which were appealed to the Courts.

The first, "*The Man With The Golden Arm*" contained a scene of less than two minutes in length, which was ordered eliminated after consultation with the Office of the Attorney General of Maryland. This scene came within the statutory requirement that it shall be disapproved if it "advocates or teaches the use of, or the methods of use of, narcotics or habit forming drugs." The film deals with the story of a dope addict, and the scene ordered eliminated shows an underworld character inducing Frank Sinatra to take a "shot." The preparation of the drug for intravenous injection and all of the paraphernalia required for the "shot", are clearly shown. The scene is climaxed by the withdrawal of the needle and the relaxing satisfaction of Sinatra. Upon appeal by the producer to the Baltimore City Court, the order of the Censor Board was affirmed on May 10, 1956, and the Court reached the following conclusion:

"If it be true that the film might have a value as a deterring influence upon our youth by showing the wretchedness of the addict deprived of his supply of drugs, it is, we believe, equally true that the particular scene teaches 'the use of, or the methods of use of, narcotics or habit-forming drugs' in violation of Sections 6(a) and (d) of Article 66A of the Maryland Code (1955 Supp.), and we so hold."

Thereafter, upon appeal by the producer to the Court of Appeals of Maryland, the lower Court was reversed. The language in the statute "to teach" was construed as being directed at *advocacy* of drugs, requiring that a film or view must contain elements of *inducement* to the use of narcotics, before it may be censored. The Honorable C. Ferdinand Sybert, Attorney General of Maryland, personally presented the case to the Court of Appeals.

The second picture was "*Naked Amazon*", parts of which were considered obscene by the Board under the statutory prohibition of films or views, whose calculated purpose or dominant effect is substantially to arouse sexual desires. The film purports to be a narrative of an expedition into the Brazilian jungles, and, in part, shows a native tribe completely nude pursuing their daily tasks. After careful deliberation and after consultation with the Office of the Attorney General of Maryland, those scenes were ordered deleted wherein the natives were shown "nude below the waist". Upon appeal to the Baltimore City Court, the Board's order was reversed. The Attorney General has taken an appeal to the Court of Appeals of Maryland, where the matter is now pend-

ing. This picture is the forerunner of others to come showing complete nudity of adults of both sexes. It is urgent that the Courts establish guide lines within which the statutory definition of "obscenity" is to be confined, so that the new law may be administered with greater precision. The question of whether "nudity in motion" is obscene, as distinguished from rulings of the Courts concerning nudity in magazines, should now be resolved.

Many subjects of truth cannot be questioned, but until Courts decide otherwise, we find that some motion picture scenes of complete nude people become obscene as legally defined, when exploited in places of amusement.

This report to your Excellency indicates the extreme reluctance of our Courts to sustain deletions, except within the narrowest sense to be taken from the statute. This is also the trend of decisions of the Courts of our sister States, and this Board will continue to apply the law in the light of legislative intent and judicial interpretation.

Respectfully submitted,

C. MORTON GOLDSTEIN, *Chairman*

MAUDE B. DORRANCE, *Vice-Chairman*

WALTER S. RINGLER, *Secretary*

August 31, 1956.

**Article 66A, Annotated Code of Maryland
(1951 Edition) 1955, Ch. 201**

6. (a) The Board shall examine or supervise the examination of all films or views to be exhibited or used in the State of Maryland and shall approve and license such films or views which are moral and proper, and shall disapprove such as are obscene, or such as tend, in the judgement of the Board, to debase or corrupt morals or incite to crimes. All films exclusively portraying current events or pictorial news of the day, commonly called news reels, may be exhibited without examination and no license or fees shall be required therefor.

(b) For the purposes of this Article, a motion picture film or view shall be considered to be obscene if, when considered as a whole, its calculated purpose or dominant effect is substantially to arouse sexual desires, and if the probability of this effect is so great as to outweigh whatever other merits the film may possess.

(c) For the purposes of this Article, a motion picture film or view shall be considered to be of such a character that its exhibition would tend to debase or corrupt morals if its dominant purpose or effect is erotic or pornographic; or if it portrays acts of sexual immorality, lust, or lewdness, or if it expressly or impliedly presents such acts as desirable, acceptable or proper patterns of behavior.

(d) For the purposes of this Article, a motion picture film or view shall be considered of such a character that its exhibition would tend to incite to crime if the theme or the manner of its presentation presents the commission of criminal acts or contempt for the law as constituting profitable, desirable, acceptable, respectable or commonly accepted behavior, or if it advocates or teaches the use of, or the methods of use of, narcotics or habit-forming drugs.

MARYLAND STATE BOARD OF MOTION PICTURE CENSORS

For the Fiscal Year Ended June 30, 1956

RECEIPTS

FEES

Original Reels—35MM (5,753,360 ft.)-----	\$18,938.00	
Original Reels—16MM (19,006 ft.)-----	92.00	
		\$19,030.00
Duplicate Reels—35MM (48,903,009 ft.)-----	\$52,378.00	
Duplicate Reels—16MM-----		
		\$52,378.00
Sale of Substitute Seals (1,647)-----		1,647.00
		\$73,055.00
Deposited to Credit of State Treasurer-----		\$73,055.00

EXPENSES

SALARIES:

Board Members-----	\$ 9,300.46	
Other Employees-----	39,465.35	
		\$48,765.81

OTHER EXPENSES:

Communication-----	\$ 777.07	
Contractual Services, Office-----	371.06	
Printing-----	376.25	
Office Supplies-----	452.04	
Office Equipment, Replacement-----	370.00	
Office Equipment, Additional-----	533.07	
Office Rent-----	6,999.96	
Insurance and Bonds-----	255.00	
Film Approval Seals-----	1,550.00	
RCA Inspection Service-----	329.16	
Court Costs-----	310.18	
Motion Picture Machine Supplies-----	111.42	
Traveling-----	897.97	
Motor Vehicle Operation & Maintenance-----	541.14	
Motor Vehicle-----	1,337.25	
		\$15,211.57
		\$63,977.38

BUDGET ACCOUNT (Per Comptroller)

Appropriations, 1956-----	\$65,755.14	
		\$65,755.14
Less Reversion to Reserve Fund-----		1,777.76
		\$63,977.38
General Fund Disbursement-----		\$63,977.38

MARYLAND STATE BOARD OF MOTION PICTURE CENSORS
TABLE SHOWING TOTAL ANNUAL RECEIPTS AND DISBURSE-
MENTS TOGETHER WITH THE AMOUNTS REVERTING
TO THE STATE TREASURY

October 1, 1920—June 30, 1956

	Receipts	Disbursements	Amount Reverting to State Treasury
10-1-20 to 9-30-21	\$ 26,488.33	\$ 19,025.26	\$ 7,463.07
10-1-21 to 9-30-22	26,866.90	19,842.12	7,024.78
10-1-22 to 9-30-23	27,059.51	19,892.93	7,166.58
10-1-23 to 9-30-24	26,338.50	20,730.44	5,608.06
10-1-24 to 9-30-25	29,249.50	22,207.24	7,042.26
10-1-25 to 9-30-26	30,207.92	22,662.82	7,545.10
10-1-26 to 9-30-27	32,498.55	24,883.80	7,614.75
10-1-27 to 9-30-28	38,165.57	27,734.69	10,430.88
10-1-28 to 9-30-29	44,486.27	32,937.76	11,548.51
10-1-29 to 9-30-30	38,954.98	31,718.26	7,236.72
10-1-30 to 9-30-31	35,245.85	31,816.79	3,429.06
10-1-31 to 9-30-32	35,637.44	32,158.81	3,478.63
10-1-32 to 9-30-33	35,152.34	34,207.93	944.41
10-1-33 to 9-30-34	36,563.00	37,174.49	9,388.51
10-1-34 to 9-30-35	39,463.00	27,577.76	11,885.24
10-1-35 to 9-30-36	44,073.00	28,927.98	15,145.02
10-1-36 to 9-30-37	49,293.00	28,855.10	20,437.90
10-1-37 to 9-30-38	48,659.00	30,197.34	18,461.66
10-1-38 to 9-30-39	50,180.00	30,302.92	19,877.08
10-1-39 to 9-30-40	53,180.00	29,598.72	23,581.28
10-1-40 to 9-30-41	55,877.00	30,347.18	25,529.82
10-1-41 to 9-30-42	55,561.00	31,135.92	24,425.08
10-1-42 to 6-30-43	39,828.00	22,578.29	17,249.71
7-1-43 to 6-30-44	55,585.00	35,112.59	20,472.41
7-1-44 to 6-30-45	55,054.00	35,090.08	19,963.92
7-1-45 to 6-30-46	59,396.00	35,802.90	23,593.10
7-1-46 to 6-30-47	65,961.00	42,150.48	23,810.52
7-1-47 to 6-30-48	72,832.00	44,814.74	28,017.26
7-1-48 to 6-30-49	78,606.00	47,468.24	31,137.76
7-1-49 to 6-30-50	82,328.00	48,565.63	33,762.37
7-1-50 to 6-30-51	79,885.00	47,689.30	32,195.70
7-1-51 to 6-30-52	82,343.00	55,671.29	26,671.71
7-1-52 to 6-30-53	75,530.00	55,853.09	19,676.91
7-1-53 to 6-30-54	76,865.00	66,106.50	10,758.50
7-1-54 to 6-30-55	73,884.00	66,917.53	6,966.47
7-1-55 to 6-30-56	73,055.00	63,977.38	9,077.62
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	\$1,830,352.66	\$1,271,734.30	\$558,618.36

* The above amount reverting to State Treasury does not include \$19,487.38 for period 6-1-16 to 9-30-20.

MARYLAND STATE BOARD OF MOTION PICTURE CENSORS

CLASSIFICATION OF FILMS

July 1, 1955—June 30, 1956

1955	Features	Short Subjects	Cartoons	Serials	Adver- tising	Misc.
July.....	483	82	131	30	28	--
August.....	554	166	172	39	16	--
September.....	559	116	103	35	15	2
October.....	452	179	178	45	13	--
November.....	549	99	122	32	18	--
December.....	468	100	96	42	13	--
1956						
January.....	469	107	123	43	9	--
February.....	452	123	103	40	11	--
March.....	501	129	88	44	9	--
April.....	500	79	91	49	13	--
May.....	467	138	111	36	21	--
June.....	573	114	113	32	9	--
TOTALS.....	6,027	1,432	1,431	467	175	2

SUMMARY OF REPORT

Films, Original.....	1,368				
Films, Duplicate.....	8,166				
Reels, Original.....		7,212			
Reels, Duplicate.....		61,404			
Number of feet, Original.....			5,772,366		
Number of feet, Duplicate.....			48,903,009		
Films Approved, Original.....					1,340
Films Approved, Duplicate.....					8,147
Films Modified in Part, Orig....					28
Films Modified in Part, Dup....					19
Films Denied.....					0
TOTALS.....	9,534	68,616	54,675,375		9,534

MARYLAND STATE BOARD OF MOTION PICTURE CENSORS

REPORT OF FILMS EXAMINED

July 1, 1955—June 30, 1956

1955	Films Original	Films Duplicate	Reels Original	Reels Duplicate	No of Ft Original	No of Ft Duplicate	Films Approved	Films Modified In Part, Orig	Films Modified In Part, Dup	Films Denied
July-----	110	644	546	4,878	347,268	3,312,105	750	1	3	0
August-----	102	728	581	5,757	510,633	4,839,326	823	4	3	0
September-----	130	817	584	5,705	448,254	4,243,011	945	2	0	0
October-----	119	748	558	4,759	451,357	3,803,152	864	3	0	0
November-----	114	706	575	5,349	455,361	4,587,391	818	2	0	0
December-----	115	604	637	4,900	544,324	3,625,940	716	3	0	0
1956										
January-----	110	641	594	4,610	475,321	3,997,308	749	2	0	0
February-----	102	627	495	4,658	391,652	3,713,202	727	2	0	0
March-----	122	649	774	4,893	537,003	3,627,475	757	3	11	0
April-----	107	625	566	5,060	514,029	4,033,229	728	2	2	0
May-----	130	643	715	4,838	543,479	3,875,688	772	1	0	0
June-----	107	734	587	5,997	553,685	5,245,182	838	3	0	0
TOTALS-----	1,368	8,166	7,212	61,404	5,772,366	48,903,009	9,487	28	19	0